

STATE OF ILLINOIS

T01-0003

ILLINOIS COMMERCE COMMISSION

STIPULATED AGREEMENT

This agreement made and entered into, by and between the State of Illinois acting by and through the Illinois Commerce Commission, hereinafter referred to as the "Commission", Union Pacific Railroad Company, hereinafter referred to as the "Company", the County of Lee, hereinafter referred to as the "County", and the State of Illinois, Department of Transportation, hereinafter referred to as the "Department".

WITNESSETH:

WHEREAS, it has come to the attention of the Commission through written correspondence that inquiry should be made into the matter of improving public safety at the crossing of the Company's tracks with a public highway known as Gap Road (Old Lincoln Highway) located near Franklin Grove, Lee County, Illinois, designated as crossing AAR/DOT 175 142A, milepost 89.15A; and

WHEREAS, proper investigation has been made of the circumstances surrounding the aforesaid crossing by representatives from the Commission and Department; and

WHEREAS, the physical aspects, including geometrics of the intersection, train movements, vehicular traffic volume, and all other pertinent data relating to the crossing has been obtained and shown on Exhibit A, attached to the agreement; and

WHEREAS, the parties are mutually agreeable to accomplish the proposed improvements upon a determination of the Commission by Order.

NOW, THEREFORE in consideration of the premises and of the mutual covenants and agreements as hereinafter contained the parties pray that the Commission enter an Order according to the provisions of Section 18c-7401 of the Illinois Commercial Transportation Law requiring that certain improvements as hereinafter stated be made and that the cost for the proposed improvements be divided among the parties according to law and that in the interest of the statewide traveling public the Grade Crossing Protection Fund of the Motor Fuel Tax Law be required to bear a substantial portion of the cost; To Wit the parties agree as follows:

Section 1 All improvements encompassed by this agreement shall be made in accordance with all applicable State laws, rules, standards, regulations and Orders and procedures in general.

Section 2 The parties are of the opinion that the proper improvements in the interest of public safety at the aforesaid crossing should be:

DOCKETED

- a) the installation of constant warning time circuitry to control the existing automatic flashing light signals and gates and the relocation of the existing signal bungalow to the southwest crossing quadrant as shown on Exhibit B, page 4.

Section 3 The Company has prepared a preliminary estimate of cost to accomplish the proposed improvements which it may be required to perform, said estimate is attached as Exhibit B, and shall upon order according to the requirements contained therein prepare detailed drawings, detailed circuit plans, estimates of cost and any required specifications for the proposed improvements for the approval of the Commission and Department.

Section 4 The Company shall upon order, according to the requirements contained therein, proceed toward the completion of the proposed improvements, accomplishing the work with its own forces or appropriate contracted services and agrees that an appropriate time for the submission of plans should be one hundred twenty (120) days, and for the completion of the proposed improvements should be twelve (12) months from the date of Commission Order subsequent to this agreement. The time schedule for the submission of the progress report for the Company is contained in Section 6 herein.

Section 5 The parties hereto agree that an equitable division of cost for the proposed improvements should be:

- a) the cost for the circuitry installation and bungalow relocation, estimated to be \$144,770, should be allocated the sum of \$50,000 to the Department, with the remaining cost being divided 90% in an amount not to exceed \$85,293 to the Grade Crossing Protection Fund, with all remaining cost being borne by the Company.
- b) all cost of future maintenance and operation of the warning devices should be borne by the Company.

Section 6 Special Provisions. In view of the fact that federal funding is being utilized for the circuitry installation and signal bungalow relocation, all such work shall be governed by applicable provisions of Title 23, Chapter I, Subchapter G, Part 646 of the Federal-Aid Policy Guide adopted December 9, 1991.

All bills for expenditures authorized to be reimbursed from the Grade Crossing Protection Fund shall be submitted to the Mr. Hank Cronister, Bureau of Local Roads and Streets, Main Office of the Illinois Department of Transportation at 2300 South Dirksen Parkway, Springfield, IL 62764. The Department shall submit a copy to the Director of Processing and Information, Transportation Division of the Commission. The final bill for expenditures from the Company shall be clearly marked "Final Bill". All bills shall be submitted to the Commission no later than twenty four (24) months from the date of Commission Order subsequent to this agreement. Authorization for reimbursement from the Grade Crossing Protection Fund shall expire twelve (12) months after the

completion date specified in the Order. The Department shall, at the end of the 24th month from the Commission's Order date, de-obligate all residual funds accountable for installation costs for this project.

The Company shall file a written report within ninety (90) days from the date of Commission Order subsequent to this agreement, with the Director of Processing and Information, of the Commission's Transportation Division, listing the name, title, mailing address, phone number and facsimile number of the Company's employee responsible for management of this project.

The Company shall file a written report with the Director of Processing and Information, Transportation Division of the Commission, within fifteen (15) days of the conclusion of each calendar quarter, stating the status of expenditures and percentage of completion of the circuitry installation and signal bungalow; if the project is behind schedule, the report must include a brief explanation of the reason(s) for the delay.

Section 7 This agreement shall be binding upon the parties hereto, their successors or assigns. Upon execution of this agreement by all parties, the Commission shall enter an appropriate Order, within 60 days, accepting or rejecting such stipulation according to the provisions contained herein.

In Witness Whereof, the parties have caused this agreement to be executed by their duly authorized officers, as of the dates indicated herein.

Executed by the Commission this 22ND day of NOVEMBER, 2000.



Michael E. Stead
Rail Safety Program Administrator

Attest:



Robert S. Berry
Rail Safety Specialist

Illinois Commerce Commission Stipulated Agreement No. 952 concerning improvements at the crossing of the tracks of the Union Pacific Railroad Company with Gap Road (Old Lincoln Highway) designated as crossing AAR/DOT 175 142A, milepost 89.15A.

Executed by the County of Lee this 28th day of NOVEMBER, 2000.

THE COUNTY OF LEE

By: _____



Attest:

Brenda Angleton

Illinois Commerce Commission Stipulated Agreement No. 952 concerning improvements at the crossing of the tracks of the Union Pacific Railroad Company with Gap Road (Old Lincoln Highway) designated as crossing AAR/DOT 175 142A, milepost 89.15A.

Executed by the Department this 15th day of December, 2000.

STATE OF ILLINOIS
DEPARTMENT OF TRANSPORTATION

By: James C. Shifert
Director of Highways

Illinois Commerce Commission Stipulated Agreement No. 952 concerning improvements at the crossing of the tracks of the Union Pacific Railroad Company with Gap Road (Old Lincoln Highway) designated as crossing AAR/DOT 175 142A, milepost 89.15A.

Executed by the Company this 2 day of Jan, 2008.

UNION PACIFIC RAILROAD COMPANY

By: Thomas T Osee
CHIEF ENGINEER

Attest:

Kathy Klockner

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION
STIPULATED AGREEMENT SURVEY FORM

RR/Line Union Pacific Milepost 89.15A Inventory # 175 142A

City Near Franklin Grove Street Gap Road County Lee

Jurisdiction County Urban Rural X Commercial Residential X

Street Surface Bituminous Width 22' Condition Good

Angle 90° Tracks Tangent Yes Degree of Curve Superelevation

Depth of Cut Height of Fill

Crossing Surface

Track Centers	Elevation	Track	Type	Width	Condition
		<u>Main</u>	<u>T/A*</u>	<u>32'</u>	<u>Good</u>
<u>14'6"</u>	<u>level</u>				
		<u>Passing</u>	<u>T/A*</u>	<u>32'</u>	<u>Good</u>
<u> </u>	<u> </u>				

Intersecting Roads 100' Ill. Rte 38 200'

Traffic Control Devices Present Stop sign on Gap Road @ Ill. Rte. 38

ADT 700 Speed 55mph (unposted) Statewide Yes

Schoolbuses Hazardous Materials Farm materials Other

Rail Traffic: Ft. 65 @ 70 mph Pass. @ mph
Switch No

Simultaneous Movements Yes Daylight and Dark Yes

Present Protection Automatic flashing light signals and gates with a sidelight on the
southeast signal mast directed easterly

Advance Warning Signs Yes Pavement Marking stop bars

Visibility Study

Quad	Clearing Visibility	Obstruction	Stopping Visibility	Obstruction
NE				
NW				
SE				
SW				

Approach Grades

North	*	'	%		'	%		'	%
South	*	'	%		'	%		'	%

* meets the requirements of 92 Ill. Adm. Code 1535.204.

Comments: This project is included in the Departments 1997 Federal Local Rail Safety Program and federal funds in the amount of \$50,000 have been allocated by the Department toward this project.

ESTIMATE OF MATERIAL AND FORCE ACCOUNT WORK
BY THE
UNION PACIFIC RAILROAD

DESCRIPTION OF WORK:

MODERNIZE HIGHWAY CROSSING WARNING SYSTEM. GAP ROAD FRANKLIN GROVE,
ILLINOIS. MP. 89.15 GENEVA SUBDIVISION.

SIGNAL PROJECT MANAGER: H.L. MARTIN
8271-4692

PID: 32869 AWO: 32678 MP, SUBDIV: 89.15, GENEVA
SERVICE UNIT: 02 CITY: GAP ROAD STATE: IL

DESCRIPTION	QTY	UNIT	LABOR	MATERIAL	RECOLL	UPRR	TOTAL
ENGINEERING WORK							
ENGINEERING 6.50 DU.			5182		4663	519	5182
LABOR ADDITIVE			4928		4435	493	4928
SIG-HWY XNG			1478		1330	148	1478
TOTAL ENGINEERING			11588		10428	1160	11588
SIGNAL WORK							
BILL PREP			900		810	90	900
CONTRACT				5857	5271	586	5857
EQUIPMENT RENTAL				2500	2250	250	2500
FOREIGN LINE FREIGHT				1171	1053	118	1171
LABOR ADDITIVE			13353		12018	1335	13353
MATL STORE EXPENSE				2928	2635	293	2928
PERSONAL EXPENSES				10878	9790	1088	10878
ROCK				1000	900	100	1000
SALES TAX				3661	3294	367	3661
SIGNAL			18045	58568	68951	7662	76613
TRANSPORTATION CHARGES				2340	2106	234	2340
USAGE EQUIPMENT				3664	3297	367	3664
TOTAL SIGNAL			32298	92567	112375	12490	124865
TRACK & SURFACE WORK							
FIELD WELD			87		78	9	87
LABOR ADDITIVE			1474		1378	96	1474
MATL STORE EXPENSE				183	164	19	183
OTM			1954	3288	4718	524	5242
SALES TAX				146	132	14	146
SIG-HWY XNG			787		709	78	787
WELD			7	391	359	39	398
TOTAL TRACK & SURFACE			4309	4008	7538	779	8317
LABOR/MATERIAL EXPENSE			48195	96575			
RECOLLECTIBLE/UPRR EXPENSE					130341	14429	
ESTIMATED PROJECT COST							144770
EXISTING REUSEABLE MATERIAL CREDIT					0		
SALVAGE NONUSEABLE MATERIAL CREDIT					0		
RECOLLECTIBLE LESS CREDITS							

THE ABOVE FIGURES ARE ESTIMATES ONLY AND SUBJECT TO FLUCTUATION. IN THE EVENT OF AN INCREASE OR DECREASE IN THE COST OR QUANTITY OF MATERIAL OR LABOR REQUIRED, UPRR WILL BILL FOR ACTUAL CONSTRUCTION COSTS AT THE CURRENT EFFECTIVE RATE.

WORK ORDER AUTHORIZATION-DETAIL OF ESTIMATED EXPENDITURES

EST S : 01-01-00
 EST COMP: 12-31-00

PROJ NO: 32869
 A.W.O. NO: 32678
 W.O. NO:
 B.I. NO: 99EN10
 STATE: IL
 VAL SEC: 1103A

RAILROAD: UPRR CO.
 LOCATION: FRANKLIN GROVE IL GAP RD GENEVA SUB
 DEPARTMENT: ENGINEERING SERVICES

STOCK MATERIAL PLAN

ITEM NUMBER	ITEM DESCRIPTION	UNIT COST	QTY	UM	DIRECT MATL \$
02040420	BATTERY,GNB,75A9 OR 50A13	183.65	6	EA	1102
09011240	CABLE TIE, NYLON 1 1/8" MAX. DIA	0.06	200	EA	12
09040700	HEAT SHRINKABLE TUBING, .75" DIA.	1.03	32	EA	33
09041120	HEAT SHRINKABLE TUBING, 1.1" DIA.	1.60	16	EA	26
09065700	TAPE, ELECTRICAL PLASTIC	2.41	2	RL	5
09135650	2363 J,SLEEVE,4-6,REDUCING	0.84	32	EA	27
09136370	2367 J SLEEVE,SPlicing,4-4	0.84	32	EA	27
09137100	TERM.LUG 3/16 CABLE-1/4 POST 2412	0.83	50	EA	42
09215100	33466 TERMINAL, RING TONGUE AMP	0.23	24	EA	6
09401140	ADAPTER, 4 INCH CARLON PLASTIC	2.25	2	EA	5
09409820	BUSHING, 4" PLASTIC,INSULATING	0.75	2	EA	2
09424920	CONDUIT, 4", PVC, TYPE 40	1.32	10	LF	13
09467930	LOCKNUT, 4 INCH, GALVANIZED	4.09	2	EA	8
09844170	GROUND ROD, 5/8 INCH X 8 FEET	5.19	13	EA	67
09846750	GRND.ROD CONN. 4WAY ONESHOT.	4.93	13	EA	64
09908640	WIRE,#6 AWG.1 COND.COPPER,SOLID	0.11	325	LF	36
09912350	WIRE #6 AWG 2 COND 1000 LF.SHIELD	1.18	1000	LF	1180
09913350	WIRE,#6, 5 COND.2000'ROLL SHIELDE	1.96	500	LF	980
09946100	WIRE #14, 7 CND 500' ROLL SHIELDE	1.07	500	LF	535
09948470	WIRE #14,STRANDED,TEFZEL	0.10	500	LF	50
13552450	SHEET METAL SCREW,#12 X 3/4"	2.00	1	BX	2
17061400	PADLOCK,SIGNAL,WITHOUT KEY,AMERIC	12.02	8	EA	96
19009970	HOSE,1 1/2 INCH,SIGNAL BOOTLEG	1.15	280	LF	322
28033210	CARTON, 39 1/8"L X 23 1/4"W X 17	3.30	1	EA	3
28033230	CARTON, 47 3/8"L X 39 1/2"W X 18"	7.05	1	EA	7
28041880	PALLET, 48 X 40 INCH 2/WAY	7.96	1	EA	8
35040010	PLASTER OF PARIS, DENTAL GRADE	0.81	25	LB	20
52005690	BOND WIRE, 7 STRANDS	0.42	400	LF	168
52006940	BOND WIRE RETAINER CLIP	2.72	8	EA	22
52007040	WEB WELD BOND WIRE TK.CIRC.CONN.	2.60	64	EA	166
52007280	BOND WIRE TUBING, FIBERGLAS	0.54	40	LF	22
52009780	BOOTLEG WIRE CLAMP, 5/8 INCH INSU	1.23	64	EA	79
52019530	ENCLOSURE,SHUNT,POLE MOUNTED.24X2	245.01	8	EA	1960
52019560	EQUALIZER, H.D. TAB 583	9.22	8	EA	74
52028420	LIGHTNING ARRESTOR,CLR-COMM TAB 3	7.01	16	EA	112
52039210	RECTIFIER,20EC,12V.TAB575	366.54	1	EA	367
52042650	POST, MOUNTING, FOR SHUNT HOUSING	8.91	16	EA	143
52070010	TERMINAL,#12-10 WIRE,RING TONGUE	0.08	150	EA	12
52072280	TERMINAL BLOCK, SIGNAL 2 POST BAK	2.25	16	EA	36
52079550	WIRE TAG, PLASTIC - WHITE	0.12	100	EA	12
52079560	MARKING PEN(FOR WHITE TAG)	1.94	1	EA	2
52205800	GCP111 NO ISLAND #81KB-80110-0B00	15157.96	2	EA	30316

WORK ORDER AUTHORIZATION-DETAIL OF ESTIMATED EXPENDITURES

EST S : 01-01-00
 EST COMP: 12-31-00

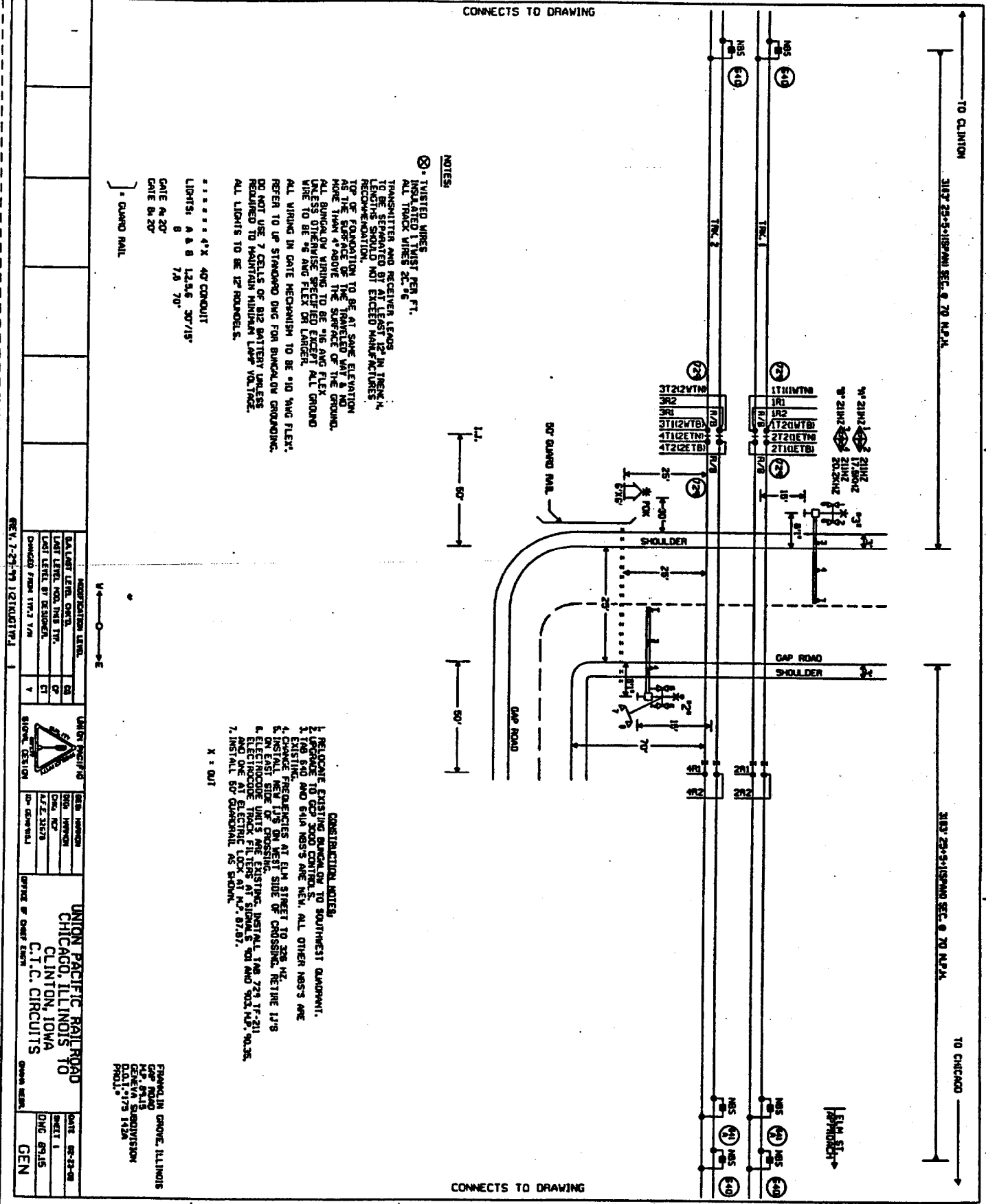
PROJ NO: 32869
 A.W.O. NO: 32678
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 STATE: IL
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RAILROAD: UPRR CO.
 LOCATION: FRANKLIN GROVE IL GAP RD GENEVA SUB
 DEPARTMENT: ENGINEERING SERVICES

52240000 IPI MODULE-GCP3000D2 #80211	1078.02	4 EA	4312
52258500 MULTIFREQ.NBS 267-560 TAB641A HAR	502.25	4 EA	2009
52258980 NBS, TAB 640, 62775-8621	491.01	4 EA	1964
52263600 SURGE ARRESTOR,METER LOOP.	23.89	1 EA	24
52263690 SURGE PANEL - TAB 619	135.99	2 EA	272
52264040 SURGE PANEL - TAB 618	203.97	2 EA	408
52264600 TRACK FILTER - TF 211	215.03	7 EA	1505
52267000 TRANSCEIVER MODULE-#80012-GCP	1560.00	4 EA	6240
52777970 FLAG TERMINAL, FOR GRS, 14-10	0.89	100 EA	89
53918230 BOND WIRE CLIP, SBA-248	1.42	56 EA	80
55016480 RAIL ANCHOR 6" BASE HD CHANNELLOC	0.89	960 EA	854
55266010 FIELD WELD KIT, 136# PREM. ORGOTH	48.92	8 EA	391
55322140 136# INS JT PLUG HH LH ANG CUT 15-	606.46	2 EA	1213
55322170 136# INS JT PLUG HH RH ANG CUT 15-	610.54	2 EA	1221
N/S NONSTOCK 50' GUARDRAIL	3500.00	1 EA	3500

TOTAL

62,251



CONNECTS TO DRAWING

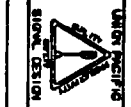
NOTES

- ⊗ INSULATED WIRES
INSULATED LITMUS PER FT.
ALL TRACK WIRES 20' 6"
- TRANSMITTER AND RECEIVER LEADS
TO BE SEPARATED BY AT LEAST 12" IN TRENCH.
LENGTHS SHOULD NOT EXCEED MANUFACTURER'S
RECOMMENDATION.
- TOP OF FOUNDATION TO BE AT SAME ELEVATION
AS TOP OF TRACK. THE TOWERED LAMP & NO
MOUNTED ABOVE THE SURFACE OF THE GROUND.
ALL BUNDLING WIRING TO BE 18" AND FLET
UNLESS OTHERWISE SPECIFIED. ELEVATE ALL GROUND
WIRE TO BE 18" AND FLET OR LARGER.
- ALL WIRING IN GATE MECHANISM TO BE 10' AND FLET.
REFER TO UP STANDARD ONE FOR BUNDLING OR GROUNDING.
DO NOT USE 7 CELLS OF B12 BATTERY UNLESS
REQUIRED TO MAINTAIN MINIMUM LAMP VOLTAGE.
ALL LAMPS TO BE 12' RODPOLES.

*****4'X 40' CONDUIT
L101113, A & B 12.5.6 307/15"
B 7.8 70"
GATE A 20'
GATE B 20'
] - GROUND RAIL

REG. 7-27-73 1212101113

ADJUSTMENT LEVEL	
DATE	BY
LAST LEVEL FOR THIS TRV.	BY
LAST LEVEL BY DESIGNER	BY
CHECKED FROM 111.7 1/4	BY



UNION PACIFIC RAILROAD
CHICAGO, ILLINOIS TO
CLINTON, IOWA
C.T.C. CIRCUITS

DATE	BY
DATE	BY
DATE	BY
DATE	BY

FRANKLIN GROVE, ILLINOIS
M.P. 87.15
GENERAL SUPERVISOR
PROJ. 1775 1428

- CONSTRUCTION NOTES:
1. RELOCATE EXISTING SIGNAL ON TO SOUTHWEST QUADRUANT.
 2. TAD END AND SIA 1053 ARE NEW. ALL OTHER 1053 ARE EXISTING.
 3. CHANGE FREQUENCIES AT ELN STREET TO 325 HZ.
 4. INSTALL NEW L1'S ON WEST SIDE OF CROSSING. RETIRE L1'S
 5. EXISTING TRACK SIGNALS.
 6. ELECTRIC TRACK FILTERS AT SIGNALS 501 AND 502 (M.P. 90.35).
 7. AND ONE AT ELECTRIC LOCK AT M.P. 87.87.
 8. INSTALL 50' QUADRUANT AS SHOWN.

X : OUT

CONNECTS TO DRAWING